

**UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEW HAMPSHIRE**

William J. Carey

v.

Civil No. 06-cv-293-SM

Charles Ward, et al.

O R D E R

Pro se plaintiff William J. Carey has filed a complaint, pursuant to 42 U.S.C. § 1983, alleging that defendants have abridged his rights under the Eighth and Fourteenth Amendments to the United States Constitution by denying him adequate medical and dental care (document no. 2). Named as defendants are the Hillsborough County Department of Corrections ("HCDOC") and three HCDOC employees: Dr. Charles Ward; LPN Denise Hartley; and an unnamed dentist.

The complaint is before me for preliminary review to determine whether, among other things, it states a claim upon which relief may be granted. See 28 U.S.C. § 1915A; U.S. District Court for the District of New Hampshire Local Rule ("LR") 4.3(d)(2). For the reasons stated in the report and recommendation issued simultaneously herewith, I conclude that

Carey has alleged cognizable Eighth Amendment claims against Hartley and Ward based on the denial of adequate medical care. I recommend dismissal of all remaining claims. I further recommend that Carey's motion for alternative service (document no. 6) be granted.

Accordingly, I order that the complaint be served on the defendants. As plaintiff has filed the necessary summons forms with regard to defendants Ward and Hartley, I order that the complaint be served on those defendants. The Clerk's office is directed to issue the necessary summons forms and forward to the United States Marshal for the District of New Hampshire (the "U.S. Marshal's office") the summonses, copies of the complaint (document no. 2), the report and recommendation and this order. Upon receipt of the necessary documentation, the U.S. Marshal's office shall effect service upon defendants. See Fed. R. Civ. P. 4(c)(2).

Defendants are instructed to answer or otherwise plead within twenty days of service. See Fed. R. Civ. P. 12(a)(1)(A).

Plaintiff is instructed that all future pleadings, written motions, notices, or similar papers shall be served directly on the defendants by delivering or mailing the materials to them or

their attorney(s), pursuant to Fed. R. Civ. P. 5(b).

SO ORDERED.



James R. Muirhead
United States Magistrate Judge

Date: November 2, 2006

cc: William J. Carey, pro se